

**TRIAL MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

CR-05-00027

August 22, 2006
9:00 a.m.

UNITED STATES OF AMERICA -v- ZHENG, ET AL

PRESENT: Hon. Alex R. Munson
Sanae Shmull, Court Reporter
Michelle C. Macaranas, Courtroom Deputy
Timothy Moran, Assistant U. S. Attorney
G. Anthony Long, Attorney for Defendant Ming Yan Zhen
Steve Pixley, Attorney for Defendant Chang Da Liu
Ming Yan Zheng, Defendant
Chang Da Liu, Defendant

PROCEEDINGS: JURY TRIAL - Day Six

Government by Timothy Moran, AUSA. Attorney G. Anthony Long was present on behalf and with defendant, Ming Yan Zhen. Attorney Steven Pixley was present on behalf and with defendant Chang Da Liu. Also present was James Barry, a Special Agent for the Federal Bureau of Investigations.

All 12 regular jurors and 2 alternate jurors were present in the courtroom at 9:20 a.m.

Government called witness Theresa Wang at 9:20 a.m. Witness was sworn.

WANG, THERESA - DX began at 9:22 a.m. Ex. 22. Government offered Ex. 22. Government offered witness Wang, Theresa as an expert witness. No objections, Court received Ex. 22 and expert witness Wang, Theresa. Counsels argued objections with regards to witness testimony being hearsay. Court accepted expert witness and Ex. 22 over objections. Ex. 23. Government offered Ex. 23. Attorney Long Voir Dire witness with regards to Ex. 23. Ex. Zheng-DD. Attorney Long moved that any statements are hearsay and request submission of the entire transcript of Ex. 23. Counsels argued the motion. Court received Ex. 23 and also received Ex. Zheng-DD. Jurors were provided individual copies of Ex. 22 and Ex 23. Ex. 23 audio tape played to jury and witness. Ex. 22 played to witness and jury. Counsels stipulated to waive the reading of the excerpts in Chinese and proceeded without playing the audio tape. DX ended at 10:11 a.m. 30 seconds intermission due to power outage. Attorney Pixley began CX at 10:12 a.m. and ended at 10:14 a.m. Attorney Long began CX at 10:15 a.m. Ex. Zheng-DD. Attorney Long ended CX at 10:26 a.m. AUSA, Tim Moran began RDX at 10:26 a.m. and ended at 10:32 a.m. Attorney Long began RCX at 10:27 a.m. and ended at 10:28 a.m. Witness was excused.

Court admonished and excused the jurors for a break at 10:30 a.m. Court apprised counsels that today's session will recess at 4:00 p.m. because Mr. Long has to be in Superior Court. No objections. Court resumed at 10:50 a.m.

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Government called witness Barry, James (FBI Agent) at 10:50 a.m. Witness was sworn.

BARRY, JAMES (FBI Special Agent) - DX. Ended at 11:20 a.m. Attorney Pixley began CX at 11:20 a.m. Witness reviews 302 report.

Court admonished and excused the jurors for lunch at 11:30 a.m. until 1:30 p.m. Court took up matters with counsels with regards to Agent Barry's testimony.

Court recessed at 11:40 a.m. and resumed at 1:40 p.m.

BARRY, JAMES - CX. Attorney Pixley resumed at 1:40 p.m. and ended at 1:42 p.m. Attorney Long began CX at 1:43 p.m. Witness testified regarding 302 report. Ex. T. Ex. Zheng-N., Ex. Zheng-O, Ex. Zheng-P and Ex. Zheng-Q. CX ended at 1:54 p.m. AUSA, Tim Moran began RDX at 1:55 p.m. and ended at 2:00 p.m. Witness was excused at 2:00 p.m. Attorney Pixley began RCX at 2:00 p.m. and ended at 2:05 p.m. Attorney Long began RCX at 2:05 p.m. and ended at 2:07 p.m. Witness was excused at 2:07 p.m.

Government rest their case at 2:07 p.m.

Court admonished and excused the jurors for a break at 2:07 p.m.

Attorney Long argued his motion for a judgement of acquittal on all charges on behalf of his client. Attorney Pixley adopted Attorney Long's motion and moved for a judgement of acquittal on all charges on behalf of his client. AUSA, Tim Moran argued his reply. After all arguments, Court denied defense counsels' motion for judgement of acquittal. Attorney Long renewed his motion for the exclusions of Ex. A and B. Court denied the motion.

Court recessed at 2:45 p.m. until 3:00 p.m.

Court resumed at 3:05 p.m. with all 12 regular jurors and 2 alternate jurors.

Attorney Long called witness Wang, Bin at 3:05 p.m. Witness was sworn.

WANG, BIN - DX. Ex. Z. Defense offered Ex. Zheng-Z. No objections, Court received Ex. Zheng-Z. Ex. Zheng-AA. Defense offered Ex. Zheng-AA. AUSA, Tim Moran Voir Dire witness regarding Ex. Zheng-AA. AUSA, Tim Moran objected to the submission of Ex. Zheng-AA. Ex. Zheng-EE. Defense offered Ex. Zheng-EE. AUSA, Tim Moran objected. Court received Ex. Zheng-EE over objections. Ex. Zheng-AA. Defense offered Ex. Zheng-AA. Ex. Zheng-BB. Defense offered Ex. Zheng-BB. No objections, Court received Ex. Zheng-BB. Ex. Zheng-FF.

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Defense offered Ex. Zheng-FF. No objections, Court received Ex. Zheng-FF. Attorney Long DX ended at 3:30 p.m. AUSA, Tim Moran began CX at 3:31 p.m. Ex. Zheng-FF.

Court admonished and excused the jurors for the day at 3:45 p.m. and ordered the jurors to return tomorrow Wednesday, August 23, 2006 at 1:00 p.m.

Adjourned 3:45 p.m.

/s/ Michelle C. Macaranas, Court Deputy